

STREET LAW SMARTS #11

EDUCATION

The right of young people to go to school

In Ontario, young people have a right to free education. Only people who are visiting in Ontario do not have a right to attend school.

You have a right to seven years of secondary school. However, if you have been in high school for seven years or more, or you are 20 years old or older and have not been in school for the last four years, you might have to pay a fee to attend school.

Schools in Ontario are located in specific school board districts. You have a right to go to a school in your district, but you don't necessarily get to choose which school. Your district will be decided on where your parent or guardian lives. After age 16, you do not need a parent or guardian to be in school. You have a right to attend school in the district where you live. You may need to write a letter to the school or principle to make sure that you are signed up independently, especially if you want your school information to be kept private from your parent/guardian. Here is a sample letter:

To PRINCIPAL'S NAME,

My name is BLANK and my date of birth is BLANK. This letter is in reference to my decision to withdraw from parental control. I am living separately and independently of my parents: NAME (parent #1) and NAME (parent #2). (delete parent #2- if only one parent)

My current address is:

Previously, I was attending BLANK school at BLANK School Board.

BLANK is my de-facto guardian for the purposes of my education. **Or (delete either first or second statement)** From this date forward, I would like to act as my own legal guardian and have the rights that are given to an eighteen year old as detailed in the *Education Act*.

Optional Statement:

Additionally, I want to ensure that the details of my education are kept private and confidential from my parents. I do not want them to know which school I am attending or the details of my academics. I do not want my parents to have any access to my private records, or to private information, including my Ontario Student Record.

I have sought legal advice from Justice for Children and Youth and they have informed me that I have the right to withdraw from parental control at the age of 16. I also have the right to attend school without my parents' consent or involvement. If you have any questions about my legal position, please call them at 1-866-999-5329 or 1-416-920-1633.

Thank you, Signed - Signature

Everyone **must** attend school until their 18th birthday, unless you have a legal reason not to go to school. Examples of legal reasons are: you are home-schooled, sick, or have already graduated from high school.

If you are having difficulty attending school, there may be special schools called alternative schools/programs that you may attend. Some have combined education/employment training programs that you may benefit from (especially if you are age 18 or older).

Newcomers

Children under 18 are entitled to go to school in Ontario regardless of their immigration status in Canada - this includes non-Canadians and non-Permanent Residents. However, you will have to pay a fee if you are visiting. You may also have to pay a fee in other circumstances. If you are unable to pay the fee set out, this does not constitute a reason why you should not be enrolled. You may need to obtain legal advice to advocate for the fee to be waived.

You do not need to take any immigration documents with you to enroll in a school and the school cannot demand to see any. You should take some identification, proof of your date of birth, and all of your education related documents and records to the school that you will be attending.

If you do not have permanent residence and you turn 18, you are no longer entitled to study in Canada without a study permit. You must apply for a study permit from Citizenship and Immigration Canada. This application should be filled out before you turn eighteen using the "Application to Change Conditions or Extend Your Stay in Canada." You may be exempt from the fee for study and may wish to seek legal advice. **Contact Justice for Children and Youth at (416) 920-1633 or 1 (866) 999-5329.**

For more information on your rights at school, see JFCY's publications at www.ifcy.org.